

REMARKS

In response to the pending Office Action, claims 1, 11, and 21 are amended, and claims 10 and 20 are cancelled without prejudice. Claims 1-9, 11-19, and 21-23 are now active in this application. No new matter has been added. The amendments are supported, at a minimum, by original claims 10 and 20. For example, claims 1 and 21 have been amended by inserting the limitations of original claim 10, and claim 11 has been amended by inserting the limitations of original claim 20. The only pending independent claims are 1, 11, and 21.

Applicants appreciate the indication of allowable subject matter in claims 7, 8, 10, 17, 18, and 20, which are objected to for depending from a rejected claim, and are allowable if rewritten in independent form including the limitations of their base claim and any intervening claims. For example, the Office Action, at page 5, states that claims 10 and 20 are allowable because the prior art fails to teach the third lens unit is moved in direction perpendicular to an optical axis.

As stated above, this feature has been inserted into all of the independent claims (claims 1, 11, and 21). Thus, Applicants submit that all of the independent claims are allowable.

Under Federal Circuit guidelines, a dependent claim is allowable if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987).

Thus, as independent claims 1, 11, and 21 are allowable for the reasons set forth above, it is respectfully submitted that dependent claims 2-9, 12-19, and 22-23 are allowable for at least the same reasons as their respective base claims.

Additionally, dependent claims 7 and 17 are also allowable because the prior art fails to teach a fourth lens group including a single lens element having a positive optical power which is bi-convex, as stated in the Office Action at page 5.

Further, dependent claims 8 and 18 are also allowable because the prior art fails to teach a lens element closest to the object side in the third lens unit including a lens of positive optical power, and an image-side lens surface of the lens is flat or concave, as stated in the Office Action at page 5.

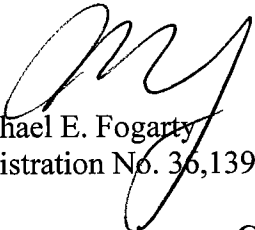
Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call the undersigned attorney at the telephone number shown below.

Application No.: 10/533,312

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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